

Before the  
Federal Communications Commission  
Washington, D.C. 20554

JUL 1 1992

In re Applications of

Central Florida Educational  
Foundation, Inc., et al.

For Construction Permit for a New  
Noncommercial FM Station  
(Union Park, Conway, Oak Hill and  
Lake Mary, Florida)

) MM Docket No. 92-33  
)  
)  
) File No. BPED-881207MA  
) et al  
)  
)  
)

To: The Honorable Edward J. Kuhlmann  
Administrative Law Judge

ORIGINAL  
FILE

Petition for Leave to Amend

Mims Community Radio, Inc. ("Mims"), by its attorney, hereby respectfully petitions for leave to amend its application in the above-referenced proceeding. In support thereof, the following is shown:

1. A total of five noncommercial applications are currently involved in the above-referenced proceeding, of which only one application may currently be granted.

2. Mims' consulting engineer has determined that it is possible for Mims to amend its pending FCC Form 340 application in order to remove its mutual-exclusivity with the other four remaining applicants and allow separate grant of Mims application, notwithstanding resolution of the underlying proceeding. The subject amendment is a major change involving a transmitter site change and a move to a 2nd adjacent channel. A copy of the amendment is attached hereto as Attachment A.

No. of Copies rec'd  
List A B C D E

016

3. Since the application is a major change, Mims respectfully requests a waiver of Section 73.3571(j)(1) of the Commission's Rules. There is Commission precedent for the relief contemplated herein. Attached hereto as Attachment B is a Letter, FCC 91-207, released by direction of the Commission on July 17, 1991 which addresses a virtually identical situation. First, grant of the waiver would eliminate the need for a comparative hearing involving Mims and would permit the immediate grant of its application, allowing a first noncommercial service to be granted to Oak Hill. Second, a waiver would not prejudice competing applicants or cause undue disruption of the Commission's administrative processes. In fact, it would streamline and simplify the currently scheduled hearing and in all likelihood facilitate settlement and/or a share-time arrangement. Third, grant of a waiver of Section 73.3571(j)(1) would not cause a loss of right of reasonable notice to any theoretical potential applicant or objector, since the application has already gone through the Commission's cut-off procedure (and any application for the proposed channel would have been mutually-exclusive with the other designated applications). Finally, and most importantly, grant of the amendment (and of Mims' application) would provide for a new noncommercial service to almost twice as many individuals as Mims previously proposed to serve. The Joint 307(b) exhibit prepared in this proceeding indicated a total population count with respect to Mims' original proposal of 184,301 persons. The proposed facility would serve 341,950 persons (as well as over


twice the area of the original proposal).

4. The FAA has been contacted regarding the proposed amendment and has indicated that due to the short height of the proposed tower, FAA concurrence should be forthcoming shortly. In addition, Exhibit E-8 of the subject amendment addresses the issue of RF radiation and demonstrates Mims' compliance with the applicable standards and requirements. Finally, Mims has received reasonable assurance of site availability from the owners of the proposed site, Mr. and Mrs. Roy Hilton.

5. Therefore, good cause exists for acceptance of the subject amendment under the criteria delineated in Erwin O'Connor Broadcasting Co., 22 FCC 2d 140 (Rev. Bd. 1970). While the amendment is voluntary, acceptance thereof shall allow for the ultimate grant of two noncommercial stations as opposed to one (with no prejudice to the other mutually-exclusive applicants or any other potential applicants or objectors), and the provision of a new service to over 157,000 persons who would have not received a new service previously (with no appreciable loss to individuals in Mims' prior service area due to the fact that they will be overwhelmingly served by all of the remaining proposals). The public interest and Commission precedent both support grant of Mims' amendment.

Wherefore, based on the foregoing, it is respectfully requested that Mims' Petition be granted and the subject amendment accepted.

Respectfully submitted,  
Mims Community Radio, Inc.

By:   
Stephen C. Simpson

Its Attorney

1090 Vermont Avenue, N.W.  
Suite 800  
Washington, D.C. 20005  
(202) 408-7035

Attachment A

APPLICATION FOR CONSTRUCTION PERMIT FOR  
NONCOMMERCIAL EDUCATIONAL BROADCAST STATION  
(Carefully read instructions before filing form) Return only form to FCC

For Commission Use Only

File No.

Section I - GENERAL INFORMATION

|  |             |                   |   |               |                   |
|--|-------------|-------------------|---|---------------|-------------------|
| 1. Name of Applicant<br><br>Mims Community Radio, Inc. |             |                   | Send notices and communications to the following person<br>at the address below:<br>Name Stephen C. Simpson |               |                   |
| Street Address or P.O. Box<br>4955 International Drive |             |                   | Street Address or P.O. Box<br>1090 Vermont Ave NW   |               |                   |
| City<br>Mims   | State<br>FL | ZIP Code<br>32754 | City<br>Washington  | State<br>D.C. | ZIP Code<br>20005 |
| Telephone No. (Include Area Code)<br>407 269 2590      |             |                   | Telephone No. (Include Area Code)<br>202 408 7035   |               |                   |

2. This application is for: ☐ AM ☒ FM ☐ TV

(a) Channel No. or Frequency  
Ch 204 (88.8Mhz)

|                            |          |       |
|----------------------------|----------|-------|
| (b) Principal<br>Community | City     | State |
|                            | Oak Hill | FL    |

(c) Check one of the following boxes:

☒ Application for **NEW** station

☐ **MAJOR** change in licensed facilities; call sign: \_\_\_\_\_

☐ **MINOR** change in licensed facilities; call sign: \_\_\_\_\_

☐ **MAJOR** modification of construction permit; call sign: \_\_\_\_\_

File No. of construction permit: \_\_\_\_\_

☐ **MINOR** modification of construction permit; call sign: \_\_\_\_\_

File No. of construction permit: \_\_\_\_\_

☒ **AMENDMENT** to pending application; application file number: \_\_\_\_\_ **BPED-891127MD**

**NOTE:** It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information.

3. Is this application mutually exclusive with a renewal application? ☐ Yes ☒ No

|                             |              |                       |                |
|-----------------------------|--------------|-----------------------|----------------|
| If Yes, state:<br><br>----- | Call letters | Community of License  |                |
|                             |              | City<br>-----N/A----- | State<br>----- |

# Section V-B - FM BROADCAST ENGINEERING DATA

FOR COMMISSION USE ONLY

File No. \_\_\_\_\_

ASB Referral Date \_\_\_\_\_

Referred by \_\_\_\_\_

Name of Applicant

Mims Community Radio, Inc.

Call letters (if issued)

N/A

Is this application being filed in response to a window? ☐ Yes ☒ No

If Yes, specify closing date: \_\_\_\_\_

Purpose of Application: (check appropriate box(es))

☒ Construct a new (main) facility

☐ Construct a new auxiliary facility

☐ Modify existing construction permit for main facility

☐ Modify existing construction permit for auxiliary facility

☐ Modify licensed main facility

☐ Modify licensed auxiliary facility

If purpose is to modify, indicate below the nature of change(s) and specify the file number(s) of the authorizations affected.

☒ Antenna supporting-structure height

☒ Effective radiated power

☒ Antenna height above average terrain

☒ Frequency

☒ Antenna location

☒ Class

☐ Main Studio location

☐ Other (Summarize briefly)

File Number(s) BPED-891127MD MM Docket No. 92-33

## 1. Allocation:

| Channel No. | Principal community to be served: |                   |             |
|-------------|-----------------------------------|-------------------|-------------|
| 204         | City<br>Oak Hill                  | County<br>Volusia | State<br>FL |

Class (check only one box below)

☐ A ☐ B1 ☐ B ☒ C3

☐ C2 ☐ C1 ☐ C ☐ D

## 2. Exact location of antenna.

(a) Specify address, city, county and state. If no address, specify distance and bearing relative to the nearest town or landmark.

Two tenths of a mile west of the corner of Samsula Drive and Lettus Lane on Lettus Lane

(b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates of center of array. Otherwise, specify tower location. Specify South Latitude or East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed.

|          |     |     |     |           |     |     |     |
|----------|-----|-----|-----|-----------|-----|-----|-----|
| Latitude | 29° | 01' | 53" | Longitude | 81° | 03' | 14" |
|----------|-----|-----|-----|-----------|-----|-----|-----|

3. Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)? ☐ Yes ☒ No

If Yes, give call letter(s) or file number(s) or both.

N/A

If proposal involves a change in height of an existing structure, specify existing height above ground level including antenna, all other appurtenances, and lighting, if any.

N/A

## SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 2)

4. Does the application propose to correct previous site coordinates?

☐ Yes ☒ No

If Yes, list old coordinates.

|          |                      |        |           |              |        |
|----------|----------------------|--------|-----------|--------------|--------|
| Latitude | -----°-----N/A-----' | -----" | Longitude | -----°-----' | -----" |
|----------|----------------------|--------|-----------|--------------|--------|

5. Has the FAA been notified of the proposed construction?

☐ Yes ☐ No

If Yes, give date and office where notice was filed and attach as an Exhibit a copy of FAA determination, if available.

Exhibit No.  
N/ADate 6/26/92 Office where filed Atlanta

6. List all landing areas within 8 km of antenna site. Specify distance and bearing from structure to nearest point of the nearest runway.

| Landing Area            | Distance (km) | Bearing (degrees True) |
|-------------------------|---------------|------------------------|
| (a) <u>Spruce Creek</u> | <u>4.5 km</u> | <u>18°</u>             |
| (b) _____               | _____         | _____                  |

7. (a) Elevation: (to the nearest meter)

(1) of site above mean sea level; 7.6 meters(2) of the top of supporting structure above ground (including antenna, all other appurtenances, and lighting, if any); and 60.6 meters(3) of the top of supporting structure above mean sea level [(aX1) + (aX2)] 68.2 meters

(b) Height of radiation center: (to the nearest meter) H = Horizontal; V = Vertical

(1) above ground -0- meters (H)57.1 meters (V)(2) above mean sea level [(aX1) + (bX1)] -0- meters (H)64.7 meters (V)(3) above average terrain -0- meters (H)58.0 meters (V)

8. Attach as an Exhibit sketch(es) of the supporting structure, labelling all elevations required in Question 7 above, except item 7(bX3). If mounted on an AM directional-array element, specify heights and orientations of all array towers, as well as location of FM radiator.

Exhibit No.  
E-1

9. Effective Radiated Power:

(a) ERP in the horizontal plane -0- kw (H\*) 25 kw (V\*)

(b) Is beam tilt proposed?

☐ Yes ☒ No

If Yes, specify maximum ERP in the plane of the tilted beam, and attach as an Exhibit a vertical elevational plot of radiated field.

Exhibit No.  
N/A

--- kw (H\*) --- kw (V\*)

\*Polarization



SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 3)

10. Is a directional antenna proposed?

☐ Yes ☒ No

If Yes, attach as an Exhibit a statement with all data specified in 47 C.F.R. Section 73.316, including plot(s) and tabulations of horizontally and vertically polarized radiated components in terms of relative field.

Exhibit No.  
N/A

11. Will the main studio be located within the 70 dBu or 3.16 mV/m contour?

☐ Yes ☒ No

If No, attach as an Exhibit justification pursuant to 47 C.F.R. Section 73.1125.

Exhibit No.  
note\*

\* Noncommercial stations on reserved channels are exempt from the "70dBu over city" requirement. The 60dBu does cover city limits

12. Are there: (a) within 60 meters of the proposed antenna, any proposed or authorized FM or TV transmitters, or any nonbroadcast *except citizens band or amateur* radio stations; or (b) within the blanketing contour, any established commercial or government receiving stations, cable head-end facilities, or populated areas; or (c) within ten (10) kilometers of the proposed antenna, any proposed or authorized FM or TV transmitters which may produce receiver-induced intermodulation interference?

☐ Yes ☒ No

If Yes, attach as an Exhibit a description of any expected, undesired effects of operations and remedial steps to be pursued if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by receiver-induced or other types of modulation) to facilities in existence or authorized or to radio receivers in use prior to grant of this application. (See 47 C.F.R. Sections 73.315(b), 73.316(d) and 73.318.)

Exhibit No.  
E-2

13. Attach as an Exhibit a 7.5 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the requirements set forth in Instruction D for Section V. Further, the map must clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.

Exhibit No.  
E-3

14. Attach as an Exhibit *(name the source)* a map which shows clearly, legibly, and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.  
E-4

(a) the proposed transmitter location, and the radials along with profile graphs have been prepared;

(b) the 1 mV/m predicted contour and, for noncommercial educational applicants applying on a commercial channel, the 3.16 mV/m contour; and

(c) the legal boundaries of the principal community to be served.

15. Specify area in square kilometers (1 sq. mi. = 2.59 sq. km.) and population (latest census) within the predicted 1 mV/m contour.

Area 2,939 sq. km.

Population 341,950

16. Attach as an Exhibit a map *(Sectional Aeronautical charts where obtainable)* showing the present and proposed 1 mV/m (60 dbu) contours.

Exhibit No.  
N/A

Enter the following from Exhibit above:

Gain Area N/A sq. mi.  
Loss Area - sq. mi.

Percent change (gain area plus loss area as percentage of present area) - %.

If 50% or more this constitutes a major change. Indicate in question 2(c), Section I, accordingly.

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 4)

17. For an application involving an auxiliary facility only, attach as an Exhibit a map (*Sectional Aeronautical Chart or equivalent*) that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.  
N/A

(a) the proposed auxiliary 1 mV/m contour; and

(b) the 1 mV/m contour of the licensed main facility for which the applied-for facility will be auxiliary. Also specify the file number of the license. See 47 C.F.R. Section 73.1675. (File No.: \_\_\_\_\_)

18. Terrain and coverage data *(to be calculated in accordance with 47 C.F.R. Section 73.313)*.

Source of terrain data: *(check only one box below)*

☒ Linearly interpolated 30-second database

☐ 7.5 minute topographic map

(Source: NGDC)

☐ Other *(briefly summarize)*

| Radial bearing<br>(degrees True) | Height of radiation center above<br>average elevation of radial from<br>3 to 16 km<br>(meters) | Predicted Distances<br>to the 1 mV/m contour<br>(kilometers) | (miles) |
|----------------------------------|--|--|---------|
| 0                                | 59.8   | 31.0   | 19.3    |
| 45                               | 62.9   | 31.7   | 19.7    |
| 90                               | 62.3   | 31.6   | 19.6    |
| 135                              | 58.6   | 30.7   | 19.1    |
| 180                              | 58.6   | 30.7   | 19.1    |
| 225                              | 53.9   | 29.6   | 18.4    |
| 270                              | 53.5   | 29.5   | 18.3    |
| 315                              | 54.7   | 29.8   | 18.5    |

**Allocation Studies**

*(See Subpart C of 47 C.F.R. Part 73)*

19. Is the proposed antenna location within 320 kilometers (199 miles) of the common border between the United States and Mexico?

☐ Yes ☒ No

If Yes, attach as an Exhibit a showing of compliance with all provisions of the Agreement between the United States of America and the United Mexican States concerning Frequency Modulation Broadcasting in the 88 to 108 MHz band.

Exhibit No.  
N/A

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 5)

20. Is the proposed antenna location within 320 kilometers of the common border between the United States and Canada?

☐ Yes ☒ No

If Yes, attach as an Exhibit a showing of compliance with all provisions of the Working Agreement for Allocation of FM Broadcasting Stations on Channels 201-300 under The Canada-United States FM Agreement of 1947.

Exhibit No.  
N/A

21. If the proposed operation is for a channel in the range from channel 201 through 220 (88.1 through 91.9 MHz), or if this proposed operation is for a class D station in the range from Channel 221 through 300 (92.1 through 107.9 MHz), attach as an Exhibit a complete allocation study to establish the lack of prohibited overlap of contours with other U.S. stations. The allocation study should include the following:

Exhibit No.  
E-5

- (a) The normally protected interference-free and the interfering contours for the proposed operation along all azimuths.
- (b) Complete normally protected interference-free contours of all other proposals and existing stations to which objectionable interference would be caused.
- (c) Interfering contours over pertinent arcs of all other proposals and existing stations from which objectionable interference would be received.
- (d) Normally protected and interfering contours over pertinent arcs, of all other proposals and existing stations, which require study to show the absence of objectionable interference.
- (e) Plot of the transmitter location of each station or proposal requiring investigation, with identifying call letters, file numbers and operating or proposed facilities.
- (f) When necessary to show more detail, an additional allocation study will be attached utilizing a map with a larger scale to clearly show interference or absence thereof.
- (g) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire Exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
- (h) The name of the map(s) used in the Exhibit(s).

22. With regard to any stations separated by 53 or 54 channels (10.6 or 10.8 MHz) attach as an Exhibit information required in 1/ *(separation requirements involving intermediate frequency (i.f.) interference)*.

Exhibit No.  
E-5

23.(a) Is the proposed operation on Channel 218, 219, or 220?

☐ Yes ☒ No

(b) If the answer to (a) is yes, does the proposed operation satisfy the requirements of 47 C.F.R. Section 73.207?

☐ Yes ☐ No  
N/A

(c) If the answer to (b) is yes, attach as an Exhibit information required in 1/ regarding separation requirements with respect to stations on Channels 221, 222 and 223.

Exhibit No.  
N/A

(d) If the answer to (b) is no, attach as an Exhibit a statement describing the short spacing(s) and how it or they arose.

Exhibit No.  
N/A

1/ A showing that the proposed operation meets the minimum distance separation requirements. Include existing stations, proposed stations, and cities which appear in the Table of Allotments; the location and geographic coordinates of each antenna, proposed antenna or reference point, as appropriate; and distance to each from proposed antenna location.

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 6)

(e) If authorization pursuant to 47 C.F.R. Section 73.215 is requested, attach as an Exhibit a complete engineering study to establish the lack of prohibited overlap of contours involving affected stations. The engineering study must include the following:

Exhibit No.  
N/A

- (1) Protected and interfering contours, in all directions (360°), for the proposed operation.
- (2) Protected and interfering contours, over pertinent arcs, of all short-spaced assignments, applications and allotments, including a plot showing each transmitter location, with identifying call letters or file numbers, and indication of whether facility is operating or proposed. For vacant allotments, use the reference coordinates as transmitter location.
- (3) When necessary to show more detail, an additional allocation study utilizing a map with a larger scale to clearly show prohibited overlap will not occur.
- (4) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
- (5) The official title(s) of the map(s) used in the exhibits(s).

24. Is the proposed station for a channel in the range from Channel 201 to 220 (88.1 through 91.9 MHz) and the proposed antenna location within the distance to an affected TV Channel 6 station(s) as defined in 47 C.F.R. Section 73.525?

☒ Yes ☐ No

If Yes, attach as an Exhibit either a TV Channel 6 agreement letter dated and signed by both parties or a map and an engineering statement with calculations demonstrating compliance with 47 C.F.R. Section 73.525 for each affected TV Channel 6 station.

Exhibit No.  
E-7

25. Is the proposed station for a channel in the range from Channel 221 to 300 (92.1-107.9 MHz)?

☐ Yes ☒ No

If Yes, attach as an Exhibit information required in 1/. (Except for Class D (secondary) proposals.)

Exhibit No.  
N/A

26. Environmental Statement (See 47 C.F.R. Section 1.1301 et seq.)

Would a Commission grant of this application come within Section 1.1307 of the FCC Rules, such that it may have a significant environmental impact?

☐ Yes ☒ No

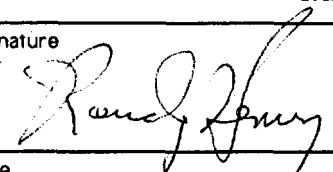
If you answer Yes, submit as an Exhibit an Environmental Assessment required by Section 1.1311.

Exhibit No.  
E-8

If No, explain briefly why not. The construction of the facility creates no situation described in Section 1.1311. Exhibit E-8 addresses the subject to humand exposure to RF from the facility.

**CERTIFICATION**

I certify that I have prepared this Section of this application on behalf of the applicant, and that after such preparation, I have examined the foregoing and found it to be accurate and true to the best of my knowledge and belief.

|   |   |
|---|---|
| Name (Typed or Printed)   | Relationship to Applicant (e.g., Consulting Engineer) |
| Randy Henry   | Technical Director                                    |
| Signature   | Address (Include ZIP Code)                            |
|  | P O Box 6501 Titusville FL 32782                      |
| Date  | Telephone No. (Include Area Code)                     |

## SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

1. Does the applicant propose to employ five or more full-time employees?

☐ Yes ☒ No

If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC 396-A).

## SECTION VII - CERTIFICATION

1. Has or will the applicant comply with the public notice requirements of 47 C.F.R. Section 73.3580?

☒ Yes ☐ No

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)


The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.65, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

**WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT.  
U.S. CODE, TITLE 18, SECTION 1001.**

I certify that the statements in this application are true and correct to the best of my knowledge and belief, and are made in good faith.

|   |                              |
|---|------------------------------|
| Name of Applicant<br><b>Mims Community Radio, Inc.</b>  | Title<br><b>President</b>    |
| Signature<br><br><b>Roberta Griffith</b> | Date<br><b>June 26, 1992</b> |

### FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The principal purpose for which the information will be used is to determine if the benefit requested is consistent with the public interest. The staff, consisting variously of attorneys, analysts, engineers and applications examiners, will use the information to determine whether the application should be granted, denied, dismissed, or designated for hearing. If all the information is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information. Your response is required to obtain the requested authority.

Public reporting burden for this collection of information is estimated to vary from 76 to 80 hours with an average of 78 hours 04 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, can be sent to the Federal Communications Commission, Office of Managing Director, Washington, D.C. 20554, and to the Office of Management and Budget, Paperwork Reduction Project (3060-0034), Washington, D.C. 20503.

**THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3), AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.**

Mims Community Radio, Inc.  
Channel 204C3 at Oak Hill FL  
MM Docket No. 92-33  
June 25, 1992

TABLE OF CONTENTS TO EXHIBITS

| <u>Exhibit No.</u> | <u>Subject</u>  |
|--------------------|---|
| E-1                | Tower structure sketch  |
| E-2                | Blanketing  |
| E-3                | USGS Site Map   |
| E-4                | Aero Chart: 1mV/m; city limits                                  |
| E-5                | Allocation Study: nearest facilities                            |
| E-6                | Allocation Study: relation to applicants in MM Docket No. 92-33 |
| E-7                | CFR 73.525: Protection to TV 6                                  |
| E-8                | Human Exposure to RF  |
| No Exhibit No.     | Tower site availability certification                           |
| No Exhibit No.     | FAA Form 7460   |

Exhibit E-1

Mims Community Radio, Inc.  
Amendment to BPED-891127MD  
MM Docket No. 92-33  
June 25, 1992

Amended Coordinates:  
NL 29-01-53; WL 81-03-14

Steel skeletal guyed tower  
Not to be lit (pending FAA consent)

All figures are meters  
Not drawn to scale

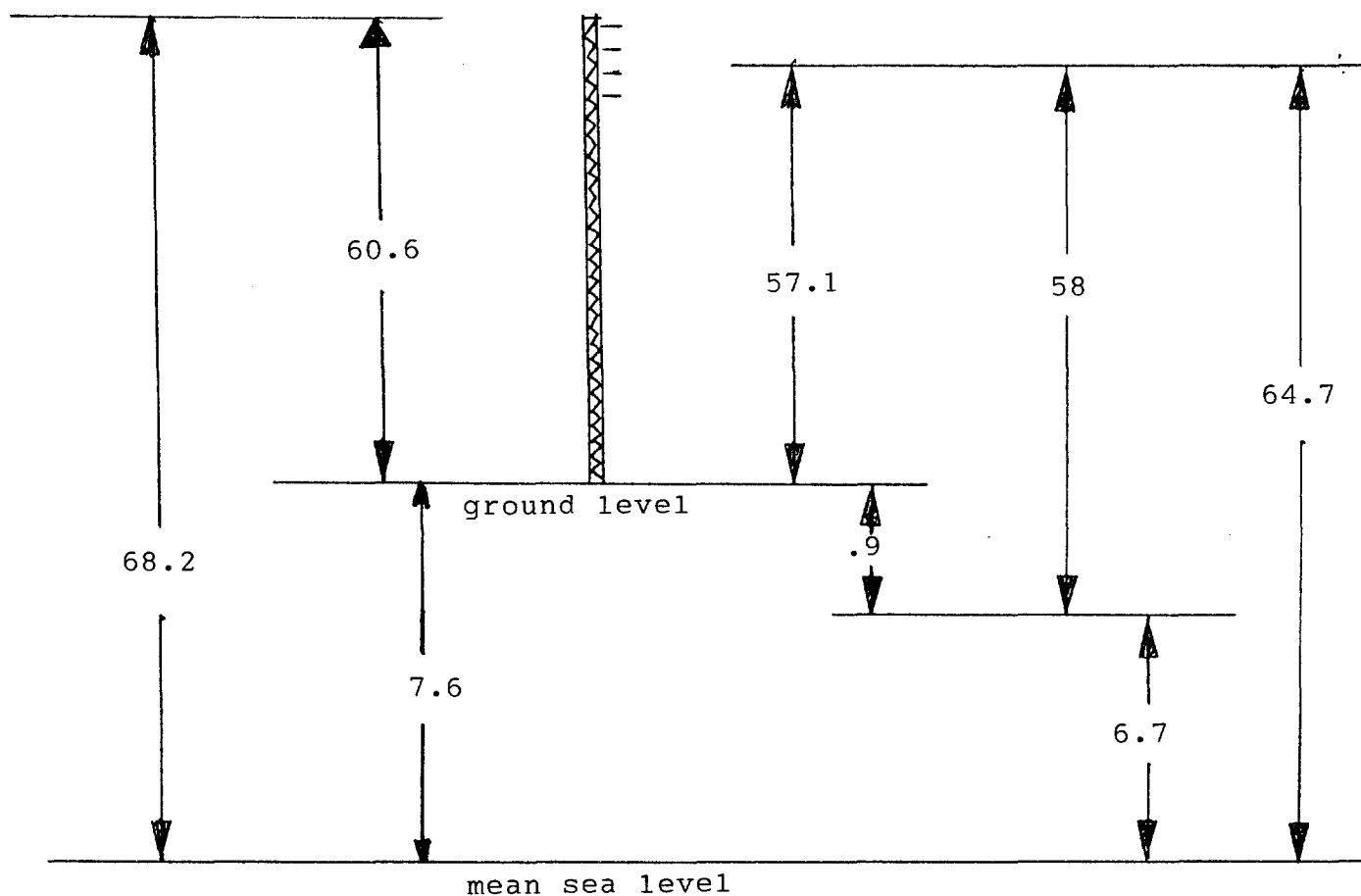


Exhibit E-2

Mims Community Radio, Inc.  
Amendment to BPED-891127MD  
MM Docket No. 92-33  
June 25, 1992

STATEMENT ACCEPTING RESPONSIBILITY

FOR REMOVING INTERFERENCE

An on-site observation of the area around the transmitter site reveals that the area is very thinly populated. The USGS 7.5 minute topographic map in Exhibit E-3 also illustrates the same.

There are no cable head end facilities, or other radio transmissions of any kind in the area near the transmitter site (1 km), nor are there any AM, FM or TV transmitter sites within 10 km of the site.

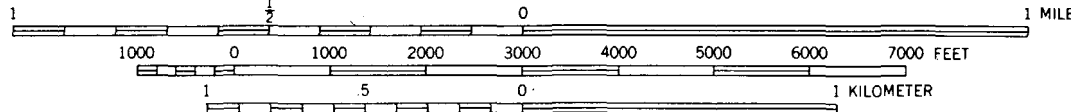
There may be, however, some interference due to blanketing of FM receivers, or picture interference to TV 6. Either of these conditions will receive immediate attention from the applicant, and as a matter of policy, Mims Community Radio, as a permittee, will keep on hand a supply of FM traps and will install them where needed, at no cost to the complaintant. A newspaper display ad will invite those suspecting interference from the FM station to call toll free, or collect, for immediate attention. Local electronics retailers will be notified of possible complaints, with instructions to refer them to the permittee.



NL 29-01-53  
WL 81-03-14  
Amended Site

Exhibit E-3

SCALE 1:24000



CONTOUR INTERVAL 5 FEET  
DATUM IS MEAN SEA LEVEL

Mims Community Radio, Inc. 6/25/92  
SITE MAP for Amendment to  
BPED-891127MD and Docket No. 92-33  
Map: USGS 7.5 minute topographic

2'30"  
1.9 MI.  
NEW SMYRNA BEACH 5.1 MI.

1.4 MI. TO FLA. 48  
NEW SMYRNA BEACH 4.7 MI.

3209

3208000m N.  
29°00'  
81°00'

● INTERIOR—GEOLOGICAL SURVEY, RESTON, VIRGINIA—1988  
499000m E.

USGS 7.5 MINUTE

ASHBY  
LINE  
61000

495 R. 32 E. 2'30" R. 33 E.

497

498

26 X

25

24

13

12

Samsula

BM 27

GRADE

26

26

26

26

26

26

26

26

26

29

29

29

29

29

29

29

29

29

29

29

18

18

18

18

18

18

18

18

18

18

18

30

19

18

7

7

7

497

19

18

7

7

7

25

20

18

25

25

25

498

20

18

25

25

25

29

20

18

25

25

25

28

20

18

25

25

25

28

20

18

25

25

25

28

20

18

25

25

25

28

20

18

25

25

25

28

20

18

25

25

25

28

20

18

25

25

25

28

20

18

25

25

25

28

20

18

25

25

25

Exhibit E-4  
Jacksonville Sectional Aero Chart

Mims Community Radio, Inc.  
Oak Hill, FL Amended 60 dBu 6/25/92  
Channel 204C3 HAAT 58 meters  
MM Docket No. 92-33

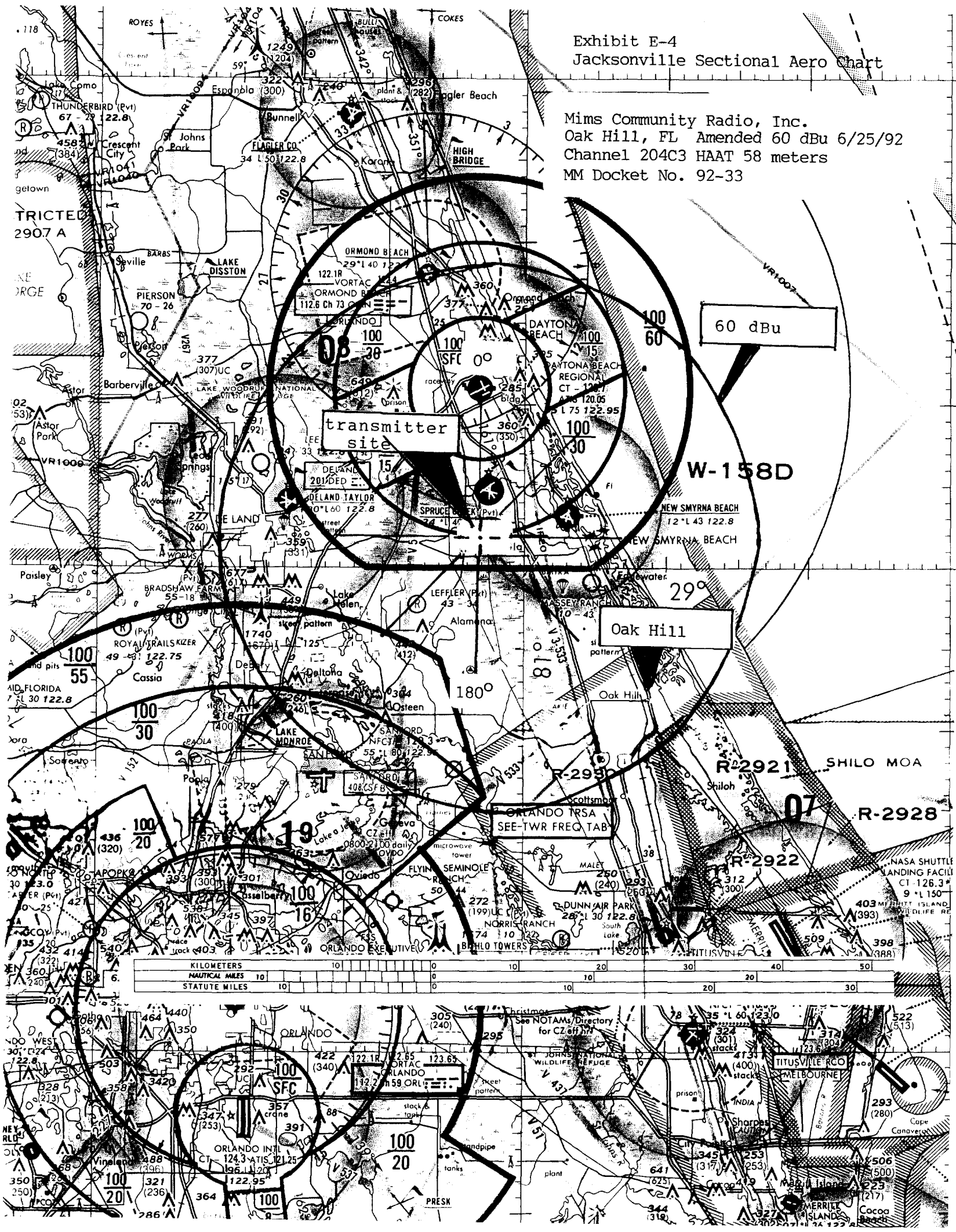
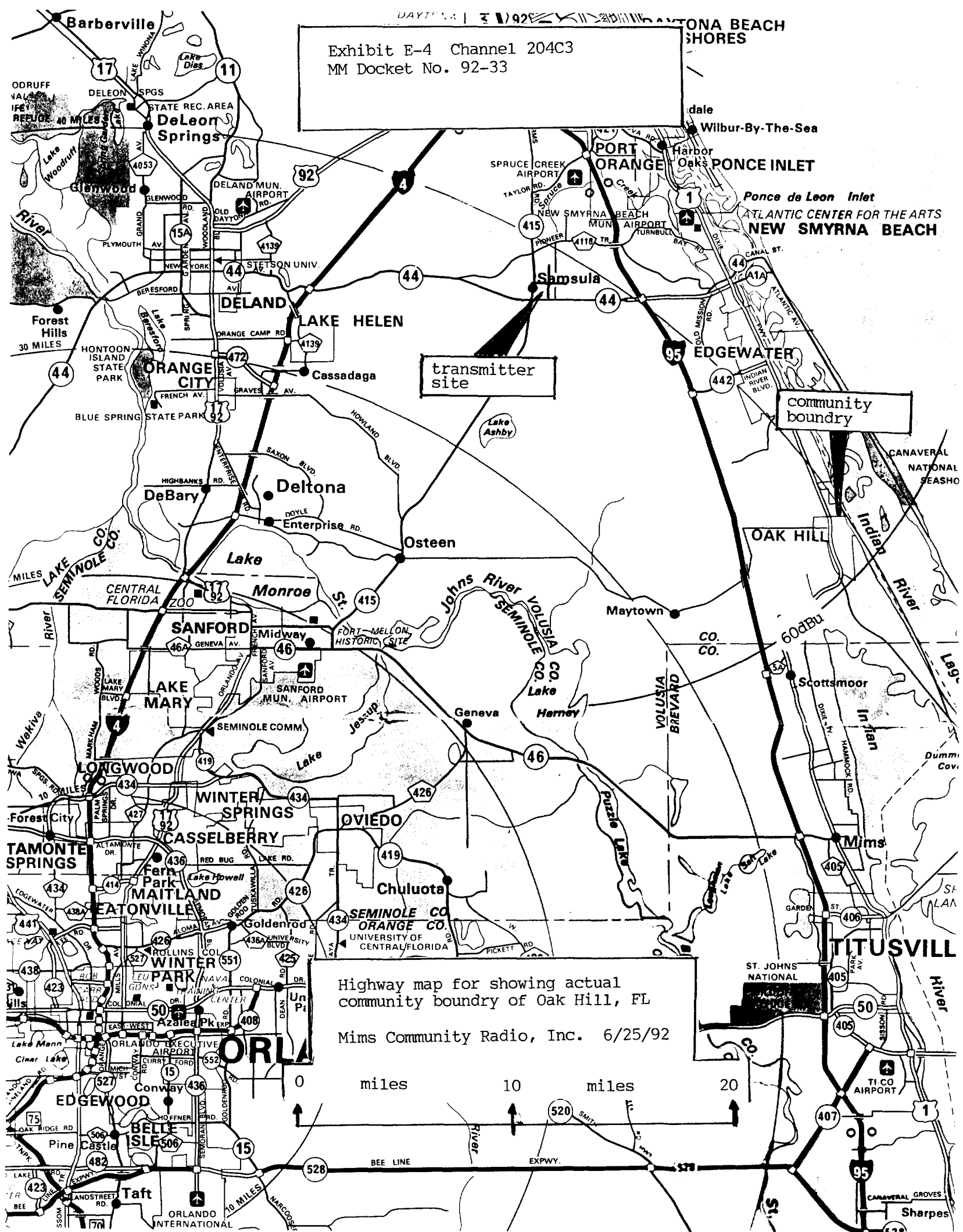


Exhibit E-4 Channel 204C3  
MM Docket No. 92-33



Highway map for showing actual  
community boundary of Oak Hill, FL  
Mims Community Radio, Inc. 6/25/92

Exhibit E-5

Mims Community Radio, Inc.  
Amendment to BPED-891127MD  
MM Docket No. 92-33  
June 25, 1992

Amended facility proposed: 25KW ERP Vertical Only  
58 meters HAAT  
NL 29-01-53 WL 81-03-14

TABLE OF NEAR-TO FACILITIES

FM Interference study

Title: samsula 25kw Latitude: 29-01-53  
Channel 204C3 ( 88.7 MHz) ERP: 25 kW; EAH: 58 m Longitude: 81-03-14  
Database: DW 06/23/92 Safety zone: 45 km

| Call            | Auth | Licensee name | Chan | ERP-kW | Latitude  | Br-to | Dist. | Req. |
|-----------------|------|---------------|------|--------|-----------|-------|-------|------|
| City of License | St   | FCC File no.  | Freq | EAH-m  | Longitude | -from | (km)  | (km) |

=====

|   |     |                                |      |          |          |       |       |       |
|---|-----|--------------------------------|------|----------|----------|-------|-------|-------|
| WHIJ  | LIC | MARION COMMUNITY RADIO I *201A | 1.26 | 29-14-17 | 282.8    | 106.4 | 32.44 |       |
| OCALA   |     | FL BLED-900411KA               | 88.1 | 120      | 82-07-17 | 102.2 | 73.94 | CLEAR |
| License Granted 09/05/90 per FCC release #20947 dated 09/12/90; |     |                                |      |          |          |       |       |       |
| Call Granted 03/30/89   |     |                                |      |          |          |       |       |       |

|                   |                          |          |                    |
|-------------------|--------------------------|----------|--------------------|
| Proposed F(50,50) | 100 dBu = 3.152 km; WHIJ | F(50,50) | 60 dBu = 21.59 km  |
| Proposed F(50,50) | 60 dBu = 30.56 km; WHIJ  | F(50,50) | 100 dBu = 1.871 km |

|  |                        |                                 |                   |          |          |       |       |       |
|--|------------------------|---------------------------------|-------------------|----------|----------|-------|-------|-------|
| NEW  | APC                    | MIMS COMMUNITY RADIO INC *202C1 | 80                | 28-44-21 | 152.9    | 36.40 | 50.54 |       |
| DAK HILL   |                        | FL BPED-891127MD                | 88.3              | 61       | 80-53-01 | 333.0 | -14.1 | SHORT |
| Cut-off 07/25/90 B-118; Hearing DOC-92-33, adopted 02/25/92, released 03/10/92 |                        |                                 |                   |          |          |       |       |       |
| Proposed F(50,50)  | 80 dBu = 10.02 km; NEW | F(50,50)                        | 60 dBu = 40.52 km |          |          |       |       |       |
| Proposed F(50,50)  | 60 dBu = 30.56 km; NEW | F(50,50)                        | 80 dBu = 13.54 km |          |          |       |       |       |

|  |                        |                  |                   |     |          |       |       |       |
|--|------------------------|------------------|-------------------|-----|----------|-------|-------|-------|
| NEW  | APC                    | FLAGLER COLLEGE  | *203A             | 6DA | 29-54-27 | 345.6 | 100.3 | 69.04 |
| SAINT AUGUSTINE  |                        | FL BPED-910318MB | 88.5              | 43  | 81-18-49 | 165.5 | 31.28 | CLEAR |
| Tendered per FCC release #14968 dated 04/08/91; Cut-off 03/26/92 A-233 |                        |                  |                   |     |          |       |       |       |
| Proposed F(50,10)  | 54 dBu = 50.05 km; NEW | F(50,50)         | 60 dBu = 19.00 km |     |          |       |       |       |
| Proposed F(50,50)  | 60 dBu = 30.56 km; NEW | F(50,10)         | 54 dBu = 27.96 km |     |          |       |       |       |

|                   |                         |                                 |                   |          |          |       |       |       |
|-------------------|-------------------------|---------------------------------|-------------------|----------|----------|-------|-------|-------|
| WJFR              | LIC                     | FAMILY STATIONS INCORPOR *204C2 | 8                 | 30-19-43 | 336.9    | 156.6 | 137.2 |       |
| JACKSONVILLE      |                         | FL BLED-870928KC                | 88.7              | 107      | 81-41-42 | 156.6 | 19.43 | CLEAR |
| Proposed F(50,10) | 40 dBu = 105.9 km; WJFR | F(50,50)                        | 60 dBu = 31.27 km |          |          |       |       |       |
| Proposed F(50,50) | 60 dBu = 30.56 km; WJFR | F(50,10)                        | 40 dBu = 92.47 km |          |          |       |       |       |

|                   |                            |                  |                   |          |          |       |       |       |
|-------------------|----------------------------|------------------|-------------------|----------|----------|-------|-------|-------|
| WUFT-FM LIC       | UNIVERSITY OF FLORIDA      | *206C1           | 100               | 29-42-34 | 300.5    | 150.3 | 76.99 |       |
| GAINESVILLE       |                            | FL BLED-811007AJ | 89.1              | 235      | 82-23-40 | 119.8 | 73.31 | CLEAR |
| Proposed F(50,50) | 80 dBu = 10.02 km; WUFT-FM | F(50,50)         | 60 dBu = 66.97 km |          |          |       |       |       |
| Proposed F(50,50) | 60 dBu = 30.56 km; WUFT-FM | F(50,10)         | 80 dBu = 29.80 km |          |          |       |       |       |

The nearest 88.9 Mhz (Ch 205) facility is an unprotected  
Class D ten watt facility. It is not overlapped.

Exhibit E-5

Mims Community Radio, Inc.  
Amendment to BPED-891127MD  
MM Docket No. 92-33  
June 25, 1992

Amended facility proposed: 25KW ERP Vertical Only  
58 meters HAAT  
NL 29-01-53 WL 81-03-14

TABLE OF NEAR TO FACILITIES

|  |     |                                 |                          |          |          |                    |             |
|--|-----|---------------------------------|--------------------------|----------|----------|--------------------|-------------|
| WPID   | LIC | FLORIDA PUBLIC RADIO INC *207C2 | 7                        | 28-34-49 | 158.3    | 53.81              | 33.39       |
| TITUSVILLE                                     |     | FL BLEP-840418DM                | 89.3                     | 91       | 80-51-00 | 338.4              | 20.42 CLEAR |
|  |     | Proposed F(50,50)               | 100 dBu = 3.152 km; WPID |          | F(50,50) | 60 dBu = 28.04 km  |             |
|  |     | Proposed F(50,50)               | 60 dBu = 30.56 km; WPID  |          | F(50,50) | 100 dBu = 2.830 km |             |
| WPID   | APP | FLORIDA PUBLIC RADIO INC *207C3 | 10                       | 28-34-49 | 158.3    | 53.81              | 33.63       |
| TITUSVILLE                                     |     | FL BMPED-910709I                | 89.3                     | 91       | 80-51-00 | 338.4              | 20.18 CLEAR |
| Accepted per FCC release #15038 dated 07/16/91 |     |                                 |                          |          |          |                    |             |
|  |     | Proposed F(50,50)               | 100 dBu = 3.152 km; WPID |          | F(50,50) | 60 dBu = 30.41 km  |             |
|  |     | Proposed F(50,50)               | 60 dBu = 30.56 km; WPID  |          | F(50,50) | 100 dBu = 3.062 km |             |

NEAR I.F. RELATED FACILITIES

|   |                          |      |      |          |       |       |       |
|---|--------------------------|------|------|----------|-------|-------|-------|
| WLRO-FM LIC   | EZY COMMUNICATIONS INCOR | 257A | 1.21 | 28-16-42 | 157.6 | 90.31 | 12    |
| COCOA   | FL BLH-870318KH          | 99.3 | 152  | 80-42-03 | 337.7 | 78.31 | CLEAR |
| Deletion proposed; ORDERED TO 257C2; Was WEZY-FM 01/15/88;          |                          |      |      |          |       |       |       |
| Affiliated with WWHL(AM)  |                          |      |      |          |       |       |       |
| PRM   | PROPOSED RULE MAKING     | 258A |      | 29-44-57 | 302.9 | 148.2 | 12    |
| LACROSSE  | FL DDC-90-522            | 99.5 |      | 82-20-30 | 122.3 | 136.2 | CLEAR |
| PRM adopted 10/22/90, released 11/07/90; SITE RESTRICTION 7.5 MI SE |                          |      |      |          |       |       |       |

Mims Community Radio, Inc. ("Mims")  
Amendment to BPED-891127MD  
From Channel 202C1  
To Channel 204C3  
June 25, 1992

Exhibit E-6

PURPOSE OF EXHIBIT E-6

In Exhibit E-6, "Mims" seeks to demonstrate that its amendment will not conflict with the other applicants in MM Docket No. 92-33. While they have made post B cut-off amendments, for comparative purposes in MM Docket No. 92-33, their facilities are as tabulated in Figure One of this exhibit.

The "Mims" amendment is, however, mutually exclusive with "Mims'" facility proposed in MM Docket No. 92-33. By moving some distance away, and moving to a 2nd adjacent channel, the 80 dBu contour becomes applicable. On Figure two, of this exhibit, the 80 dBu is shown not to overlap the 60 dBu contours of the other applicants. It does, however, overlap the 60 dBu of "Mims'" filing in BPED-891127MD.

All contours, except "Mims" on Figure two, are the 60 dBu protected contours of the applicants, as is on file in the ongoing case: Docket No. 92-33.

Mims Community Radio, Inc. ("Mims")  
 Amendment to BPED-891127MD  
 From Channel 202C1  
 To Channel 204 C3  
 June 25, 1992

Exhibit E-6

FIGURE 1

APPLICANTS IN  
 MM DOCKET No. 92-33

| <u>Applicant</u>  | <u>Map<br/>Code</u> | <u>File Number</u> | <u>Facilities</u>     |                          |                     |
|---|---------------------|--------------------|-----------------------|--------------------------|---------------------|
|   |                     |                    | <u>Power<br/>(kw)</u> | <u>Height<br/>meters</u> | <u>AAT<br/>feet</u> |
| Bible Broadcasting Network,<br>Inc.; Channel 202C2; Conway,<br>Florida                      | C*                  | BPED-890412MJ      | 1.9                   | 300                      | 984                 |
| Central Florida Educational<br>Foundation, Inc.; Chan-<br>nel 202C3; Union Park,<br>Florida | UP                  | BPED-881207MA      | 0.95<br>(DA)          | 448                      | 1470                |
| Hispanic Broadcast System,<br>Inc.; Channel 202C3; Lake<br>Mary, Florida                    | LM                  | BPED-891128ME      | 1.9                   | 306                      | 1004                |
| Mims Community Radio, Inc.;<br>Channel 202C1; Oak Hill,<br>Florida                          | OH                  | BPED-891127MD      | 80.0                  | 61                       | 200                 |
| Southwest Florida Community<br>Radio, Inc.; Channel 202C2;<br>Conway, Florida               | C*                  | BPED-891127MC      | 1.9                   | 300                      | 984                 |

\* The facilities specified by Bible Broadcasting Network, Inc., and Southwest Florida Community Radio, Inc., are identical.

Contours shown on Figure Two, are 60 dBu (for the above-captioned proposals).

JACKSONVILLE  
SECTIONAL AERONAUTICAL CHART  
SCALE 1:500,000

"Mims" amended site, and 80 dBu contour. No overlap to applicants in MM Docket No. 92-33. Mutually exclusive to Mims BPED-891127MD

Mims BPED-891127MD  
60 dBu

"Mims" amended facility  
Ch 204C3 25KW 58 meters  
NL 29-01-53 WL 81-03-14  
June 25, 1992

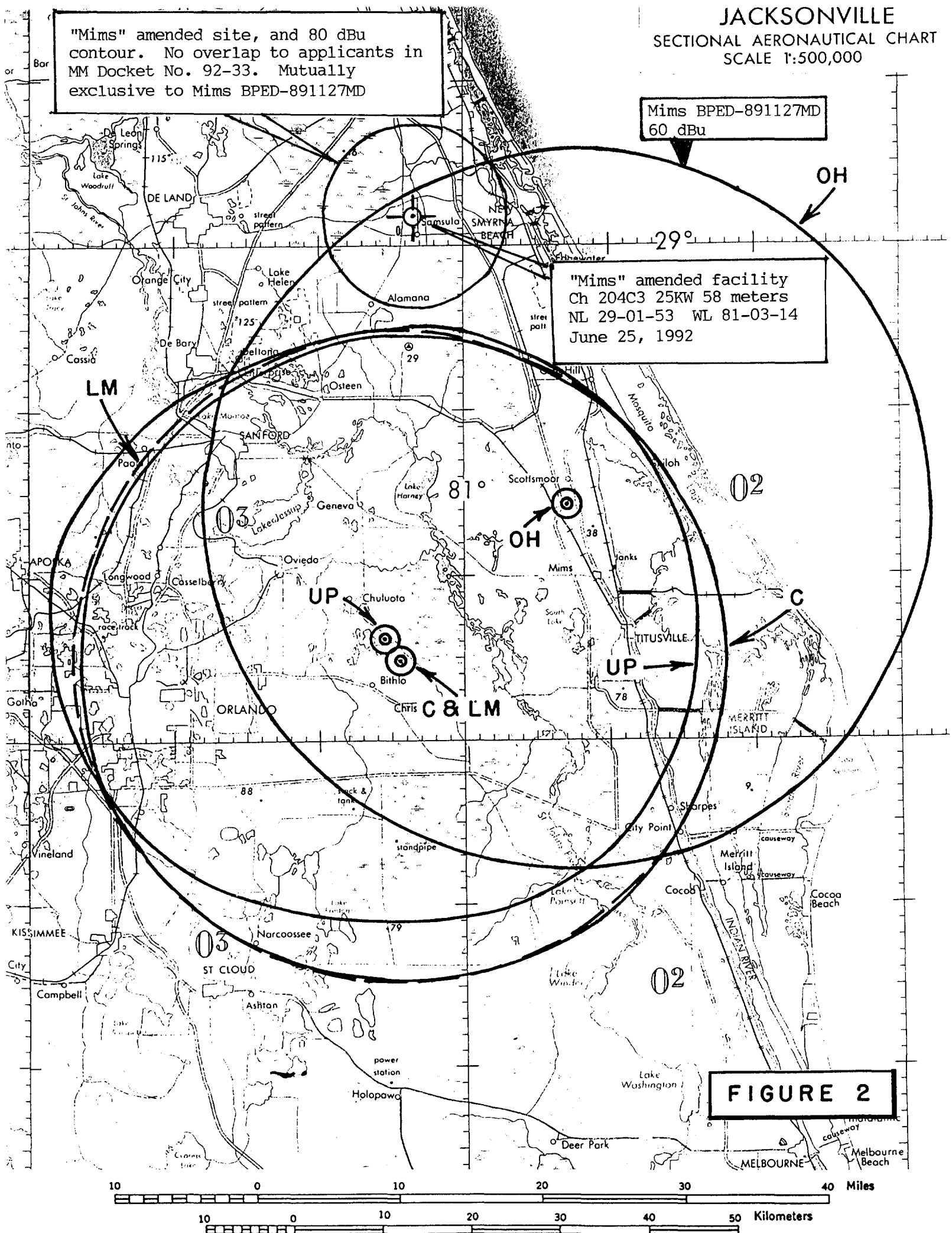


FIGURE 2



JACKSONVILLE  
SECTIONAL AERONAUTICAL CHART  
SCALE 1:500,000

Exhibit E-6

Mims Site

Mims 60 dBu

OH

29°

02

OH

UP

UP

C & LM

Nearest 80 dBu from any applicant's  
proposal in MM Docket No. 92-33  
Mims Community Radio, Inc. 6/25/92  
Channel 204C3

10 0 10 20 30 40 Miles

10 0 10 20 30 40 50 Kilometers